Ginsburg v. Ginsburg: A longitudinal study of regional features in a Supreme Court Justice’s speech

Nathan LaFave, Allison Shapp, John Victor Singler  New York University

Biography

Ruth Bader Ginsburg (RBG)

Childhood and adolescence
• born March 15, 1933, in Brooklyn
• RBG has spoken often of the strength of her mother’s influence: Celia Bader was determined that her daughter should have the education that had been denied her.
• Education: Brooklyn public schools, graduating from James Madison High School. In the 1940’s, i.e. while RBG was a student, the norm in NYC schools shifted from non-rhotic to rhotic (Labov 1972.65n).
• Family class status: biographers diverge. Either lower-middle class or middle-middle class, but not upper-middle class—a 7 or 8 in the SSNYC class index.

A New Yorker lawyer
• Further education: Cornell; two years of Harvard Law, moved back to NYC with her husband, finished at Columbia Law.
• Marriage: Martin Ginsburg, an affluent fellow Cornell student from the new Long Island suburbs of NYC.
• Taught at law schools: tenured first at Rutgers, then Columbia.
• Founded the ACLU Women’s Rights Project.
• Argued five cases before the Supreme Court in the 1970’s and read an amicus curiae brief in a sixth, all pertaining to gender equity. Five victories, one defeat.

The move to Washington
• Appointed a Federal Appeals Judge for the DC Circuit in 1980. Moved to Washington from NYC.
• Named to the Supreme Court in 1993.

Variables and Data Collection
• This study focuses on two of the most salient and stigmatized features of NYC English:
  - raising of the vowel /a/ (THOUGHT-raising) and /r/-vocalization.

Results of Mixed-effects Model Comparison

<table>
<thead>
<tr>
<th>THOUGHT-raising factor groups (n = 365):</th>
<th>Vowel Height by Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>stress (primary, secondary), number of syllables (1, 2, 3+), preceding phonological environment [prec_env], following phonological environment [fol_env], vowel duration, term, and reading or spoken style.</td>
<td>y = -1.2473x + 719.33 R² = 0.372</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lawyer Ginsburg v. Justice Ginsburg:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• For both raised-/n/- and /r/-vocalization, RBG’s use of the NYC variant significantly increases over time, with their lowest rates occurring when she appears as an attorney before the Court.</td>
</tr>
<tr>
<td>• RBG’s /ɔ/ vowel tended to be more raised (with mean F1 for each year being under the ANAE’s cut off of 700Hz for raised-voice/r) during her time as a Justice, than during her time as a lawyer (when her mean F1 was over 700).</td>
</tr>
<tr>
<td>• Lawyer Ginsburg used post-vocalic /r/ 73.8% of the time, while Justice Ginsburg only used it 68.7% of the time, with a larger range of use (55%-85%).</td>
</tr>
<tr>
<td>• At a time when ‘women’s’ IR dominated the media, RBG’s greater use of standard English (and her muting of NYC features) helped to position her as a non-threatening, reasonable person pointing out to the reasonable people of the Court a government regulation unfortunate in its denial of equal treatment to all.</td>
</tr>
<tr>
<td>• During her time as a Justice, RBG’s rate of raised-/n/-vocalization stays relatively stable, while her rate of /r/-vocalization actually increases during the same time.</td>
</tr>
</tbody>
</table>

Style:
The /ɔ/ vowels had significantly lower F1 (thus, higher vowels) in RBG’s reading of her opinions than during her semi-extemporaneous speech during the arguments. This would be counter to expectations if we assumed the reading in this case was analogous to that of the style continuum of the sociolinguistic interview (Labov 1966, Becker 2013). However, RBG’s reading of opinions that she herself wrote is actually very different from the reading in a sociolinguistic interview, where the reader has never before seen the text. Ginsburg wrote what she was reading, and perhaps even rehearsed it. She is also accustomed to public speaking, as is part of her job, whereas an interview subject might not be used to reading aloud.

RBG and Community Change:
RBG’s speech in, for example, interviews found on Youtube establishes her standard English phonology to be r-ful. Even with her stature in American society, RBG’s continued use of stigmatized regional features may not be surprising, particularly since she uses them far less than most New Yorkers in her age cohort (cf. Becker 2009). What is clearly unexpected is that, over RBG’s twenty years as a Justice on the Supreme Court, her use of at least one regional feature (r/-vocalization) has increased, not decreased. /r/-vocalization and THOUGHT-raising are diminishing among New Yorkers, even for those in Ginsburg’s age cohort (Becker 2009, 2010). Studies of lifespan change have shown that individuals generally move in the direction of community change (Sankoff & Blondeau 2007), but RBG does not completely follow this pattern.

Conclusion:
We have put forward an explanation as to why raising of the THOUGHT-vowel is comparatively less frequent when a Lawyer Ruth Bader Ginsburg, pleading her case, tries to convince Justices of the Supreme Court of the correctness of her position than when Justice Ruth Bader Ginsburg is the one asking questions or reading an opinion that she has written. Likewise, we have provided an explanation as to why, at the Supreme Court, Ruth Bader Ginsburg’s reading proves to be more vernacular than her semi-extemporaneous speaking style. The remaining question is this: Why, over her years as a Justice has Ruth Bader Ginsburg come to use /r/-vocalization more often? This is the question that we continue to grapple with.